

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
20-SO-2

FILED

FEB 14 2020

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY  DEP CLK

IN RE: Motions for Post-Conviction Relief
Pursuant to *Rehaif v. United States*,
588 U.S. ___, 139 S. Ct. 2191 (2019)

STANDING ORDER

Pursuant to the provisions of the Criminal Justice Act, 18 U.S.C. § 3006A(a)(1) and (c), and because of the need to efficiently process cases affected by *Rehaif v. United States*, 588 U.S. ___, 139 S. Ct. 2191 (2019), it is hereby ordered that the Office of the Federal Public Defender for the Eastern District of North Carolina (“Federal Public Defender’s Office”) is appointed to represent any defendant serving a federal sentence, who was previously determined to have been entitled to appointment of counsel, or who is now indigent, to determine whether that defendant may qualify for post- conviction relief pursuant to *Rehaif* and if so, to assist the defendant in obtaining such relief.

In addition, where a conflict exists such that the Federal Public Defender’s Office cannot represent a particular defendant, the Federal Public Defender’s Office may assign that defendant’s case to an attorney serving on the Criminal Justice Act panel for the Eastern District of North Carolina who is hereby appointed to represent that defendant to conduct the same *Rehaif* review described in the paragraph above.

This appointment is limited to cases affected or potentially affected by *Rehaif*, and will terminate upon a determination by appointed counsel that the defendant is not eligible for relief or, if eligible for relief, upon exhaustion of the defendant’s post-conviction remedies.

The U.S. Probation Office for the Eastern District of North Carolina (“U.S. Probation Office”) is authorized to disclose Presentence Investigation Reports, Modified Presentence Investigation Reports, Judgments, and Statements of Reasons to the Federal Public Defender’s Office and the Criminal Justice Act panel for the purpose of determining eligibility for relief. Upon request by the Office of the U.S. Attorney for the Eastern District of North Carolina (“U.S. Attorney’s Office”), the U.S. Probation Office also shall provide copies of the Presentence Investigation Reports, Modified Presentence Investigation Reports, Judgments, and Statements of Reasons in these cases to the U.S. Attorney’s Office. In accordance with Federal Bureau of Prisons policy, no Presentence Investigation Reports Modified Presentence Investigation Reports, or Statements of Reasons will be provided to inmates.

SO ORDERED. This 17 day of February, 2020.


TERRENCE W. BOYLE
Chief United States District Judge